

Patent No. 4,727,044 (Yamazaki). Further, claims 16, 18, 19, 21, 22, 27, 32, 40, 47, 66 and 76 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Chang, Zdebel, Wolf, Yamazaki, and Han, U.S. Patent No. 4,599,118 (Han). The Applicants respectfully traverse the Examiner's rejection because the Examiner has not made a *prima facie* case of obviousness.

The present invention is generally directed to a method for fabricating a semiconductor device, comprising the steps of forming an insulating film on a semiconductor film, crystallizing the semiconductor film by laser irradiation through the insulating film, removing the insulating film, and forming a gate insulating film on the semiconductor film.


The prior art does not teach or suggest all the elements of the claims, either explicitly or inherently. Yamazaki discloses that light 17 is irradiated through a gate insulating layer 3 to active regions 5S' and 5D' to provide source and drain regions 5S and 5D (Figs. 5E to 5G and lines 6 to 66 of column 8). However, in the present invention, while the semiconductor film is crystallized by laser irradiation through the insulating film, the insulating film is removed, and a gate insulating film is then formed on the semiconductor film. This feature is not disclosed or suggested in Yamazaki. The secondary references do not overcome the deficiency of Yamazaki, since none disclose the additional steps of removing the insulating film then forming a gate insulating film on the semiconductor film. The Examiner appears to have made a piecemeal rejection of the claims of the present invention by picking and choosing the features of at least four different references without providing a proper suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings to achieve the claimed invention, and a reasonable expectation of success.

For the reasons stated above, the Examiner has not set forth a *prima facie* case of obviousness; therefore, the Applicants respectfully request that the Examiner withdraw the § 103 rejections.

**Conclusion**

Having responded to all rejections set forth in the outstanding non-final Office Action, it is submitted that the claims are now in condition for allowance. An early and favorable Notice of Allowance is respectfully solicited. In the event that the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, the Examiner is courteously requested to contact Applicants' undersigned representative.

Respectfully submitted,

  
\_\_\_\_\_  
Jeffrey K. Costellia  
Registration No. 35,483

NIXON PEABODY LLP  
8180 Greensboro Drive, Suite 800  
McLean, Virginia 22102  
(703) 790-9110

JLC/RLP:gjc